

MEMO ENDORSED

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DATE FILED: 6/7/2023

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CHROME HEARTS LLC, a Delaware
Limited Liability Company,

Plaintiff,

vs.

GNOCE JEWELRY INC., a New York
Corporation; GNOCE TRADING CO.,
LIMITED, a Hong Kong SAR – China
Corporation; PENG LIN, an Individual
and DOES 1-10, inclusive,

Defendants.

Civil Action No. 1:22-cv-03321-
ALC-KHP

**ORDER RE PERMANENT
INJUNCTION**

WHEREAS Plaintiff Chrome Hearts LLC (“Chrome Hearts” or “Plaintiff”) has filed the operative Second Amended Complaint (“SAC”) in this action against defendants Gnoce Jewelry Inc., Gnoce Trading Co., Limited, and Peng Lin (“Defendants”) alleging Federal Trademark Infringement, False Designations of Origin, and Common Law Trademark Infringement and Unfair Competition, all allegedly arising from Defendants’ manufacture, production, distribution, promotion, advertisement, offering for sale, and/or sale of certain products bearing identical, substantially indistinguishable, or confusingly similar reproductions of one or more of the Chrome Hearts Marks (attached hereto and incorporated herein as Exhibit A) (such products will hereinafter be referred to as “Accused Products.”). An exemplar photograph of the Accused Products is shown in ¶ 25 of the SAC and reproduced in Exhibit B for reference.

WHEREAS the Parties have entered into a Confidential Settlement Agreement to fully resolve all of the claims in this action among the Parties;

WHEREAS without any admission of liability, Defendants have agreed to

consent to the below terms of a permanent injunction, and **IT IS HEREBY ORDERED** that:

1. Defendants and their agents, servants, employees and all entities and/or persons in active concert and participation with Defendant are hereby permanently restrained and enjoined from infringing upon the Chrome Hearts Marks in Exhibit 1, including, but not limited to:

a. manufacturing, purchasing, producing, distributing, circulating, selling, offering for sale, importing, exporting, advertising, promoting, displaying, shipping, marketing, or otherwise incorporate in advertising or marketing the Accused Products and/or any other products that are identical, substantially indistinguishable, or confusingly similar to the Chrome Hearts Marks;

b. delivering, holding for sale, returning, transferring, or otherwise moving, storing, or disposing in any manner the Accused Products and/or any other products bearing marks that are identical, substantially indistinguishable, or confusingly similar to the Chrome Hearts Marks;

c. engaging in any other activity constituting unfair competition with Chrome Hearts, or acts and practices that deceive consumers, the public, and/or trade, including without limitation, the use of designations and design elements used or owned by or associated with Chrome Hearts;

d. committing any other act which falsely represents or which has the effect of falsely representing that the goods and services of Defendant are licensed by, authorized by, offered by, produced by, sponsored by, or in any other way associated with Chrome Hearts;

e. knowingly assisting, aiding, or attempting to assist or aid any other person or entity in performing any of the prohibited activities referred to in Paragraphs 1(a)-(d) above; and

f. knowingly affecting any transactions, assignments or transfers,

or form new entities or associations to circumvent the prohibitions referred to in Paragraphs 1(a)-(d) above.

WHEREAS the parties have further agreed as follows, and **IT IS FURTHER HEREBY ORDERED** that:

2. This Court has jurisdiction over the Parties herein and has jurisdiction over the subject matter hereof pursuant to 15 U.S.C. § 1121.

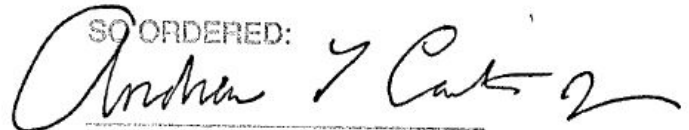
3. The execution of this Stipulation/Order shall serve to bind and obligate the Parties hereto.

4. Upon satisfaction of other obligations set forth in the Settlement Agreement, the Parties will stipulate to and file a separate *Dismissal with Prejudice of the Civil Action*.

5. The jurisdiction of this Court is retained for the purpose of making any further orders necessary or proper for the enforcement of this Stipulation/Order.

IT IS SO ORDERED.

Dated: June 7, _____, 2023

SO ORDERED:


HON. ANDREW L. CARTER, JR.
UNITED STATES DISTRICT JUDGE

EXHIBIT A


Chrome Hearts' Mark	U.S. Reg. No.	Goods/Services
<p>CHROME HEARTS</p> <p>“Chrome Hearts Word Mark”</p>	1,665,791	014: Jewelry, belt buckles made of precious metal, key rings made of precious metal, cufflinks, tie fasteners made of precious metal, brooches, necklaces and earrings.
 <p>“CH Cross”</p>	3,605,860	014: Jewelry, namely, rings, earrings, pendants, necklaces, bracelets, cuff bracelets, cuff links, watch bracelets and key rings made of precious metals.

EXHIBIT B

